

### **DETAILED ACTION**

1. This Office Action is in response to the communication received on 14 July 2009.
2. Claims 1-16 were cancelled.
3. Claims 17-30 are presented for examination.

### ***Response to Arguments***

4. Applicant's arguments see Applicant's Appeal Brief filed on 14 July 2007, with respect to claims 17, 22, 27, 28 and Applicant's arguments on pages 5, 6 with regarding the pre-matured Final Office Action mailed on 16 January 2009. Therefore, Examiner has been withdrawn the finality of the Office Action indicated.

### ***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 17, 27 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

7. Claims 17, 27 recite the limitations of "the network" in claims 17, 27. There is insufficient antecedent basis for these limitations in the claims 17, 27.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 17-30 are rejected under 35 U.S.C. 102(e) as being anticipated by **Parsa et al.** US patent # **7,075,971 B2**.

10. As to claim 17, Parsa discloses substantially the invention as claimed, including a method of requesting access to a node (*Figure 7, a BS element 13*) of a wireless communications network (*Figure 7*), the method comprising the steps of:

a) (*Figures 7-9, a MS element 15*) determining information about a transmission path (*the availability and/or available data rates for each Common Packet Channel (CPCH) or group of CPCH channels, e.g., the available CHCH-AP access slots in the next two frames, col. 15, lines 17-29*) within the network (*Figure 7, col. 9, line 21 – col. 10, line 40*);

b) (*Figures 7-9, a MS element 17*) determining (*selecting*) an identification code (*a preamble or CD signature is selected from a set of defined signatures*) to differentially identify a requesting network component (*Figure 7, a MS element 15*) from other network components (*Figure 7, other MS elements 15*) based on the determined transmission path information, wherein previously an association between identification

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codes and transmission path information has been established (see *table 1 for the association of mapping Status Indicators (SI) to CSICH bits, cols. 9, 10*) (*col. 10, lines 14-67*); and

c) (*Figures 7-9, a modulator element 329, col. 14, lines 35-59*) modulating, by the requesting network component, the determined identification code onto a signal (*a preamble signal*) to generate an access request signal (*an access preamble transmission*) from which transmission path information may be derived (*Figs. 7, 9, col. 10, lines 29-40; col. 14, line 62 - col. 15, line 29*).

11. As to claim 18, Parsa discloses d) (*Figures 7, 9, the BS element 13*) analyzing an access control signal (*Figures 7-9, an AP-AICH/CD-AICH acknowledgement signal*) that is received in response to the access request signal and that includes access control information (*an AI element in AP-AICH or CD-AICH*) (*Figures 7-9, the BS analyzes, the AP-AICH /CD-AICH signal acknowledged to the only one MS or multiple MSs trying to access the BS using the same access preamble signature, col. 10, lines 48-67*).

12. As to claim 19, Parsa discloses, wherein the access control signal simultaneously includes access control information for a plurality of network components (*Figure 7, the MS elements 15, 13*) and wherein the access control information for each network component is associated in the access control signal with an individual identification code (*Figures 7-9, the BS analyzes, the CD\_AICH signal acknowledged to the only one MS or multiple MSs trying to access the BS using the same access preamble signature and the BS 13 only transmits the CD-preamble from*

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*the selected mobile station back over the corresponding the downlink channel, col. 10, lines 48-67).*

13. As to claim 20, Parsa discloses, wherein the access control signal is subjected to an interference canceling step (*an only one MS acknowledged and selected*) which includes subtracting from the access control signal a compensation signal (*a BS CD preamble signature, e.g., the CD preamble procedure is used to prevent interference when two or more MSs have received a valid AP-AICH from the BS at the same time, col. 6, lines 5-13; col. 10, lines 41-67*) relating to access control information that is not associated with the identification code determined in step b).

14. As to claim 21, Parsa discloses, wherein the access request signal including the identification code determined in step b) is transmitted repeatedly using transmit power ramping (*Figures 7-9, col. 10, lines 29-40; col. 11, line 58 – col. 12, line 6*).

15. As to claim 22, Parsa discloses a method of controlling access to a node (BS) of a wireless communications network (*Figures 7-10, a BS element 13*), the method comprising the steps of:

a) (*Figures 7-10, a BS element 13*) receiving an access request signal (*an access preamble transmission from the MS*) onto which an identification code (*a preamble or CD signature is selected from a set of defined signatures*) has been modulated by a requesting network component (*Figures 7-10, a BS element 15*), the identification codes differentially identifying the requesting network component from other network components (*see table 1 for the association of mapping Status Indicators (SI) to CSICH bits, cols. 9, 10*) (*col. 10, lines 14-67*);

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b) (*Figures 7-10, the BS controller element 319*) analyzing the identification code to derive a transmit power level therefrom, wherein previously an association between identification codes and transmit power levels has been established (*col. 10, line 21 – col. 11, line 18; col. 16, line 35 – col. 17, line 9*);

c) (*Figures 7-10, the BS element 13*) transmitting an access control signal (*Figures 7-10, an AP-AICH/CD-AICH acknowledgement signal*) including access control information (*an AI element in AP-AICH or CD-AICH*) at the transmit power level derived in step b) (*Figures 7-9, the BS analyzes, the AP-AICH /CD-AICH signal acknowledged to the only one MS or multiple MSs trying to access the BS using the same access preamble signature, col. 10, line 21 – col. 11, line 18; col. 16, line 35 – col. 17, line 9*).

16. As to claim 23, Parsa discloses, wherein step b) comprises analyzing the identification code with respect to transmission path information associated therewith, wherein the identification codes are associated via transmission path information with transmit power levels and wherein the transmit power level corresponding to a specific identification code is derived from the transmission path information corresponding to the specific identification code (*Figures 7-10, the BS analyzes, the AP-AICH /CD-AICH signal acknowledged to the only one MS or multiple MSs trying to access the BS using the same access preamble signature and the BS 13 only transmits the CD-preamble from the selected mobile station back over the corresponding the downlink channel, col. 10, line 21 – col. 11, line 18; col. 16, line 35 – col. 17, line 9*).

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17. As to claim 24, Parsa discloses, wherein the access control signal includes the identification code analyzed in step b) (*Figures 7-10, col. 10, line 21 – col. 11, line 18; col. 16, line 35 – col. 17, line 9*).

18. As to claim 25, Parsa discloses, wherein the access control signal simultaneously includes access control information for a plurality of network components which are requesting access to the node and wherein the transmit power level for the access control signal is derived and adjusted individually for each network component which requests access (*Figures 7-10, the BS analyzes, the AP-AICH /CD-AICH signal acknowledged to the only one MS or multiple MSs trying to access the BS using the same access preamble signature and the BS 13 only transmits the CD-preamble from the selected mobile station back over the corresponding the downlink channel, col. 5, lines 11-44; col. 10, line 21 – col. 11, line 18; col. 16, line 35 – col. 17, line 9*).

19. As to claim 26, Parsa discloses, wherein the identification code is selected out of a predefined set or range of identification codes (*see table 1 for the association of mapping Status Indicators (SI) to CSICH bits, cols. 9, 10*) (*col. 5, lines 11-44; col. 10, lines 14-67*).

20. Claims 27, 28 correspond to the apparatus claim of claim 1; therefore, it is rejected under the same rationale as in claim 1 shown above.

21. Claims 29, 30 correspond to the apparatus claim of claim 22; therefore, it is rejected under the same rationale as in claim 22 shown above.

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22. Further references of interest are cited on Form PTO-892 which is an attachment to this action.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HAI V. NGUYEN whose telephone number is (571)272-3901. The examiner can normally be reached on 6:00-3:30 Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duc M. Nguyen can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Hai V. Nguyen/  
Examiner, Art Unit 2618